

Town of Farmington
Board of Selectmen's Meeting
Monday, June 1, 2015

Board Members Present:

Charlie King, Chairman
Paula Proulx
Jerry McCarthy
Jim Horgan

Board Members Absent:

Brian St. Onge, Vice Chairman

Others Present:

Steve Welford, Superintendent of Schools
Planning Board Chairman Charles Doke, Vice Chairman Dave Kestner, Members Martin Laferte, Glen Demers
Interim Fire Chief James Reinert
Fire Department Secretary Jennifer Nadeau
Dave Connolly, Conservation Commission Chairman
Goodwin Library Trustees and Staff Members

1). Call to Order:

Chairman King called the meeting to order at 6 p.m. All present stood for the Pledge of Allegiance.

2). Approval of Minutes:

May 11, 2015-

Motion: (Horgan, second McCarthy) to approve the minutes as written passed 4-0.

*May 18, 2015-*Public Session, Page 2, Public Comment section, last line change "potion" to "portion".

Motion: (Horgan, second Proulx) to approve the public minutes as amended passed 4-0.

May 18, 2015- Non-Public Sessions A, B and C-

Motion: (King, second Proulx) to table review of non-public session minutes until the non-public session of this meeting passed 4-0.

3). Public Comment: None.

4). Discussion with School Superintendent for Water Connection to New Ball Field:

Chairman King reported that he was contacted by the SAU office requesting the Town assist with the water connection from the main water line to the pump for the new sprinklers recently installed at high school ball field. The work would involve excavating a 30 foot trench and installation of a two inch connection and meter. The School District will pay for the materials needed for the work and requested the Town waive the associated fees. The work is estimated to cost between \$1,000 and \$1,500 if contracted to a private contractor he said.

Motion: (McCarthy, second Horgan) to approve the Water Dept. installation of the connection from the water main to the sprinkler pump at the high school ball field and waive the fees passed 4-0. Superintendent Welford arrived at the end of the discussion and was informed the board had approved the request. He thanked the board for their assistance in the matter.

5). Planner Services:

Planning Board Chairman Charles Doke told Selectmen that he attended the previous board meeting and requested the Planning Office hours be extended to be open five days a week. He said that the Code Enforcement Office is sometimes not available on Wednesdays due to training sessions and the office Secretary is also not available that day. He expressed concerns about the lack of progress the Town is making on the TIF and 79-e Districts with the lack of a full time Planner and Town Administrator.

Chairman King suggested inviting Strafford Regional Planning Commission to make a presentation to the Planning Board about their services available and related costs with the board.

Planning Board Vice Chairman David Kestner told Selectmen that their board is having problems with getting answers and requested materials in a timely manner. He added that the board is looking for guidance from an Economic Development professional to correctly complete the paperwork needed to set up and manage the districts.

Chairman King asked if the Interim Planner is working scheduled office hours. Chairman Doke said he is not. King stated that Selectmen discussed having the Planner work staff hours for half a day once a week with the Town Administrator, but apparently that did not happen. Doke said he would like to have the Planner in the Planning Office from 1 p.m. to 5 p.m. on Tuesdays. King said he will follow up with Planner Mike Garrepy and advise him of the board's decision.

Selectmen also discussed the number of hours worked weekly by the Planning Office Secretary.

Chairman King said her hours were increased to 32 hours a week. Selectman Horgan suggested those hours be spread out over all five days so the office is open every day. King said he is not opposed to idea if the Secretary is available.

Selectmen McCarthy asked why the board decided to contract with a part-time Planner. Chairman King said the board determined that the Planning Board did not seem busy and the former Town Planner advised the Town did not need a full time Planner at this time so the board thought this would work. But it doesn't seem to be working he added.

Kestner said he read in the newspaper that Garrepy is also providing Planner services to other towns and suggested that the Town of Farmington is not his priority. Selectman Proulx said Garrepy signed a contract with the town and is committed to providing Planner services to the Farmington.

Chairman King then asked when the Planning Board will make a recommendation on who to hire to help with the management of the TIF and 79-e Districts. Doke said his board would discuss the issue at their next meeting scheduled for the next evening.

Chairman King said he would follow up with the Planning Office Secretary Bette Gallagher, Planner Mike Garrepy, Consultant Jack Mettee and former Town Planner Kathy Menici to determine who is available and interested in providing services to the town. He will copy his findings to Chairman Doke.

6). Discussion Fire Department EMS Billing:

Interim Fire Chief James Reinert and Fire Department Secretary Jennifer Nadeau came before the board

to discuss the reassessment of the ambulance billing process and proposed changes. The changes would include opting out of a contract with Anthem Blue Cross/Blue Shield and entering into a new agreement with Comstar, Inc.

Chief Reinert explained that Comstar provides billing services for the town on behalf of the ambulance service. Reinert said the previous contract charged the town a 7% fee of all receipts received by the town for ambulance billing services. In 2014, the company collected approximately \$153,000 and \$10,713 was paid to Comstar. Using the same numbers, the new contract which calls for a 5% fee, would reduce that payment to \$7,652 saving the town \$3,060.

Chief Reinert said the department contracted with Anthem as a participating provider for billing purposes. The department agreed to receive smaller payments with the benefit of receiving the payments sooner, usually in about 10 days. In 2014, the department received about 30% of the billable amount. By opting out of the contract, payments would increase to about 82% of the billable amount but would take between 30 to 60 days for receipt. In 2014, the department received about \$25,514 as a participating provider for Anthem. By opting out of the contract and receiving 82% of the 2014 payments, that number would increase to \$73,487 which is \$47,973 in additional revenue to the town. Discussion included other towns opting out of the Anthem contract, electronic tracking of billing and payments, and if there are any other changes to the terms of the contract. Chief Reinert requested the board approve signing the new contract with Comstar and opting out of the Anthem contract. But Selectmen decided they wished to review the contract and obtain clarification of the process from Anthem before approving the proposed changes. The matter was tabled to next meeting to allow the Chief time to provide the requested information.

Selectman Horgan then asked the Chief about the feasibility of moving some Fire Department apparatus to the highway garage when the Annex building is torn down. Reinert said the garage has sufficient electric supply for the vehicles that may be stored there but he said he does not know about the availability of an air compressor needed for one of the vehicles. He added that it is out of the way for responders to have to report to the Fire Station and then to the garage to pick up the vehicle needed for an emergency situation.

Selectman Proulx suggested waiting until fall to move the forestry equipment and the tanker to the garage when it is no longer fire season. Selectman Horgan asked if any other towns have any available storage space. Chief Reinert said none of the local communities have any interior space available and that he did not want to lose things because vehicles are parked outside.

Town Forrest Management Plan:

Conservation Commission Chairman Dave Connolly came before the board seeking approval to contract with BH Keith Associates to implement the Town Forrest Management Plan developed by the firm. Connolly said he plans to hold a public hearing regarding the plan at the next Cons Com meeting scheduled for Wednesday, June 10, 2015.

Motion: (Horgan, second McCarthy) to authorize the Conservation Commission to employ BH Keith Associates to implement the Town Forrest Management Plan passed 4-0.

Land Swap- Connolly also asked the board about the status of the land swap between the town and Cameron's Home and Garden Center. Selectman McCarthy said the transfer of the deed to the town is complete but it has not been transferred to the care of the Cons. Com. Discussion included the proper

way to transfer the deed to the commission such as through an easement deed, warranty deed or dedication to the commission by a vote of the Board of Selectmen. Chairman King said he will seek advice of the town attorney on the matter.

7). LeClair Letter/Sheepboro Road: Tabled.

8). Fire Annex Demolition Discussion:

Prior to the meeting, Public Works Director Dale Sprague reported seeing a man measuring the Fire Dept. Annex Building who said it was in preparation for demolishing the building. Sprague said he told the man the demo work needs approval by Selectmen before it can begin. Chairman King said the board has approved the demolition of the building, awarded the bid to Always Recycling but has not yet approved the expenditure of the funds for the project. After some discussion about the storage needs of the various vehicles, the partial basement under the Annex, available temporary storage and concerns that the building is a safety hazard, Selectmen decided to contact Interim Fire Chief James Reinert and ask him to develop a vehicle management plan that meets the dept.'s needs. Chairman King then added that once the storage plan is completed, the utility services will be removed from the building and it will be ready for removal.

9). Library Petition Presented:

Chairman King reported that the citizens' petition regarding the Goodwin Library previously submitted to the board has undergone legal review. The consensus of the board was to release the attorney's reply to the public. King said Attorney Keriann Roman advised that the Town can't legally elect trustees to the Goodwin Library because it is not owned by the Town. It is owned by a voluntary, non-profit corporation called the Farmington Public Library Association. Although the library receives public funding and provides services to the public, it is not owned by or run by the town. The letter went on to state that the Town could have elected representation on the Board of Trustees if the Association agreed to amend its Charter and by-laws to allow for an elected library trustee. She advised Selectmen cannot take action on this request because it is not allowed by law.

Paragraph II of the petition asked Selectmen to enter into discussions with the library for a new agreement between the library and the Town. Attorney Roman advised the board can enter into such discussions but suggested any draft agreement be reviewed by Town Counsel before it is agreed upon. Members of the Library Trustees and Library staff were in attendance in the audience along with other interested residents. Discussion included drafting of the by-laws in the early 1900's, clarifying and negotiating contract items, updating policies, researching and finding original documents, determining the scope of Trustees' authority and the proper presentation of the library budget.

Additional discussion included setting up a meeting between Selectmen and the library to review information and begin negotiations. Chairman King suggested the Trustees meet and discuss the issue first and determine what will work for them as the Board of Selectmen has busy agendas scheduled for the next two board meetings. Selectman Proulx suggested if board wants to get the new agreement completed by budget season they should begin work on it by next month.

A member of the Trustees told the board that their presence at the meeting was intended to send a message to Selectmen that the Trustees and staff are willing to work with the board to resolve these issues. Chairman King said Selectmen will do their part to solve things that involve the board.

10). Christmas Lights /Memo of April 24, 2015:

Selectmen reviewed the letter sent by former Town Administrator Keith Trefethen regarding a policy change to allow Christmas lights on utility poles in the downtown area. The memo stated that Eversource continues their denial for use of the poles as they consider the lights to be outdoor advertising as per RSA 236:75. Trefethen suggested the decorations could be viewed as a temporary pole attachment under RSA 374:34-a. He asked the board to review the statutes and provide an opinion on the suggested solution.

In an April 27th memo to Trefethen, NH Department of Transportation Assistant Commissioner William Cass said he asked the DOT Operations Bureau to investigate Trefethen's suggested solution to the issue. He stated that as soon as the bureau has time to look into the matter, they will contact the town. Selectman Horgan said Trefethen also approached Eversource with the temporary pole attachment solution and the town needs a written response from the company stating they are okay with this solution. Chairman King suggested the board's Secretary be asked to contact the company for a response.

11). Insurance Claim on Heating/Cooling Unit at the Municipal Office Building:

The board discussed the insurance adjuster's estimate to pay for damages done to the heating/cooling units from falling ice and snow this past winter. The actual cash value of the repairs is estimated at \$14,093.50. The town's policy includes a \$1,000 deductible so the town would receive \$13,093.50. The adjuster also suggested the units be protected with a protective covering such as a Gable roof to prevent future damage to the units. Chairman King said the Public Works Director has been asked to provide an estimate to construct a roof over the units. Selectman Horgan suggested Sprague also be asked to consider if anything else needs to be done to keep this type of damage from happening again.

Motion: (McCarthy, second Horgan) to authorize that the claim be put through and finalized for \$13,093.53 passed 4-0.

12). Drainage Pipe Repair on the Levy:

The board reviewed a draft letter from Chairman King to NH DOT, Bureau of Bridge Design, Consultant Design Chief Robert Landry Jr. requesting that the DOT include rehabilitation of a drainpipe that runs under the levy and exits upstream of the Cocheco River Bridge on South Main Street as part of the replacement of the bridge. The town is also seeking a permanent drainage easement for the pipe King said.

Motion: (McCarthy, second King) to request the repair and easement for the drainpipe passed 4-0.

13). 2015 Paving:

In a memo to the board, Public Works Director Dale Sprague outlined his plans for paving town roads during the 2015 season. He wrote the town budgeted \$350,000 for paving projects this year and the department has spent \$318,550 with the completion of the paving on Ridge Road. He described the state's plans to pave Main Street from the Irving gas station through town turning onto Central Street and finishing at Route 11 by Cameron's Home and Garden Center. The state will pave from white line to white line only and the town would be responsible for shoulders, parking areas and tie-ins to drainage structures. Some of the remainder of the budgeted funds would be spent for the town's portion of the

Main/Central Streets resurfacing (\$10,000), entrance to Pine Knoll drive, intersection of Pine Knoll Drive and Cameron Drive and the left lane of Spring Street between Dolan and Wilson Streets (\$5,000). Sprague he would like spend any remaining funds to make repairs to surfaces outside the white line areas prior to DOT paving, repairs to Meetinghouse Hill Road and/or Silver Street and repair from where DOT leaves off in the square to the top of the hill at Charles Street/Bay road. The repairs could be done using an infrared heat treatment in preparation for paving next year he wrote. Discussion included trying to determine the definition of “white line to white line” as some of the white lines are closer or further away from the edge of the road, some are two feet from drainage structures and some roads do not have any white lines at all. Selectmen agreed in principle with Sprague’s plans but said they needed a clarification on exactly where the state will pave each road. Chairman King said he will ask Sprague to provide a clarification when he returns from vacation.

14). Recreation Department Memos- Bingo Machine, Cameras at Fernald Park:

A).Bingo Machine- Chairman King told the board that Recreation Department Director Rick Conway has requested authorization to purchase a new Bingo machine. In a memo to Selectmen, Conway wrote that he found a refurbished machine for \$1,688 from Abbott Products in Weymouth, Ma. The price does not include shipping. Conway stated he would pay for the machine from the Recreation Dept. Revolving Fund-Senior Programs and repay the fund with proceeds from the Bingo games.

Motion: (Horgan, second King) to authorize the Rec. Dept. Director to acquire the Bingo machine, not to exceed \$1,688 plus shipping passed 4-0.

*B).Cameras for Fernald Park-*In a second memo to the board, Conway sought direction from the board as to where he should charge the purchase of cameras and related equipment for installation at Fernald Park. Conway stated there was discussion about the issue at Town Meeting and both the Selectmen and the Budget Committee recommended against adding money to the Rec. Dept.’s Parks Maintenance line as the town would take the \$1,300 requested from some other line. Conway added he wished to purchase and hang the equipment by June 19.

Selectman Horgan suggested the board ask Conway why the cameras are needed, what kind of cameras he plans to purchase, the locations of the installations, who will install them and who will maintain the equipment. Chairman King agreed and said he will invite Conway to the next board meeting to discuss the matter.

15). Consideration of Additional Candidates for Town Administrator and Fire Chief:

Chairman King told the board that the town has received more resumes for the two positions and asked if they wished to include them in the interview process. The resumes include one additional candidate for each position. Consensus of the board was to add the additional candidates to the second round of the interview process for both positions.

Other Business:

A). Farmington Children’s Center- Selectman McCarthy asked about the status of the new agreement between the town and the Community Action Program. Chairman King said the lawyers on both sides are still working on language in the agreement and said he will ask Attorney Roman for an update.

B). Hay Day Booths- Selectman McCarthy then asked about charging the Conservation Commission to rent booth space during Hay Day. Selectman Horgan said that previously the Commission was given

spaces for free in a less prime location. The Commission has moved their booth location to a more visible area and is using three spaces at that location. He noted that prices for booth spaces are going up and Rec. Dept. could rent those spaces to a vendor that would bring in more revenue for the event. Selectman McCarthy said he did not favor charging any town board for participating in the town event. Chairman King asked the board to continue the discussion on the matter with the Rec. Dept. Director at the next board meeting.

16). Non-Public Sessions:

Non-Public Session A:

Motion: (King, second Horgan) to enter non-public session under RSA 91-A: 3 II (c) passed 4-0 by a roll call vote (King, Proulx, Horgan, McCarthy-yes) at 8:10 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 4-0 at 8:20 p.m.

Non-Public Session B:

Motion: (King, second Proulx) to enter non-public session under RSA 91-A: 3 II (a) passed by a roll call vote (King, Proulx, Horgan, McCarthy-yes) at 8:20 p.m.

Motion: (King, second Horgan) to come out of non-public session passed 4-0 at 8:35 p.m.

Non-Public Session C:

Motion: (Horgan, second McCarthy) to enter non-public session under RSA 91-A: 3 II (d) passed 4-0 by a roll call vote (King, Proulx, McCarthy, Horgan-yes) at 8:35 p.m.

Motion: (Horgan, second Proulx) to come out of non-public session passed 4-0 at 8:45 p.m.

The board then returned to public session and signed Payroll and Purchase Orders.

17). Adjournment:

Motion: (King, second Horgan) to adjourn the meeting passed 4-0 at 9 p.m.

Respectively submitted,
Kathleen Magoon
Recording Secretary

Charlie King

Paula Proulx

Brian St. Onge

James Horgan

Gerry McCarthy

